

REMARKS

Claims 1-12 are pending in the above-identified application.

Restriction Requirement

Claims 1-12 have been subjected to a Restriction Requirement as follows:

Group I - claims 1-6, directed to a method of preparing a metal oxide thin film; and

Group II - claims 6-12, directed to a capacitor and memory device including the metal oxide thin film prepared by the method of the claims of Group I.

Election

**Applicants hereby elect the claims of Group I, i.e. claims 1-6, with traverse.**

Reasons for Traversal

The above-noted Restriction Requirement is respectfully traversed. It is submitted that a search and substantive examination of the elected claims of Group I (i.e. claims 1-6) substantially overlaps with that of the non-elected claims of Group II (i.e. claims 6-12), since all of the claims recite the method

for preparing the metal oxide thin film and the non-elected claims of Group II merely recite device embodiments wherein the thin film would be expected to be used. Therefore, it is submitted that there is no significant, undue burden placed on the Examiner to examine all of the presently pending claims, including the non-elected claims, in connection with proceeding with examination of the present application. Thus, it is requested that the Restriction Requirement be withdrawn.

Conclusion

If any questions arise regarding the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.


Appl. No. 10/665,496

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
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